

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTONIETTA ZAPPIER,

Plaintiff,

-against-

PROJECT VERITAS, et al.,

Defendants.

ORDER

22-CV-06709 (PMH)

PHILIP M. HALPERN, United States District Judge:

On or about August 8, 2022, plaintiff Antonietta Zappier commenced the instant action against defendants Project Veritas and Michael Spadone. (Docs. 1, 5).

On September 13, 2022, plaintiff filed a First Amended Complaint, which, *inter alia*, added S2 HR Solutions 1A, LLC as a defendant. (Doc. 14). On September 14, 2022, the Clerk of Court issued a summons as to S2 HR Solutions 1A, LLC. (Doc. 16). There is no indication on the docket that defendant S2 HR Solutions 1A, LLC has been served, and S2 HR Solutions 1A, LLC has not appeared in this case.

On December 14, 2022, during a pre-motion conference, plaintiff's counsel advised the Court that it was engaged in settlement negotiations with defendant S2 HR Solutions 1A, LLC. The Court directed plaintiff, in light of counsel's representation concerning the status of settlement, to file by December 21, 2022 an order and stipulation of dismissal as to defendant S2 HR Solution 1A, LLC, and warned that in the absence of such filing the Court will dismiss that defendant without prejudice under Fed. R. Civ. P. 4(m). (*See* Doc. 22). No order and stipulation, proof of service, or any other communication, has been filed to date.

Accordingly, defendant S2 HR Solution 1A, LLC is dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m). The Clerk of Court is respectfully requested to terminate that entity as a defendant in this action.

SO ORDERED:

Dated: White Plains, New York
December 23, 2022

A handwritten signature in black ink, appearing to read 'Philip M. Halpern', written over a horizontal line.

Philip M. Halpern
United States District Judge